

AMENDING REVISED STATUTES.

APRIL 15, 1884.—Laid on the table and ordered to be printed.

MR. TUCKER, from the Committee on the Judiciary, submitted the following

REPORT:

[To accompany bill H. R. 3454.]

The Committee on the Judiciary, to which has been referred bill H. R. 3454, beg leave to report:

A full consideration upon the argument of parties interested in the question involved in this bill has been given to it by the committee.

Prior to the war a district court of the United States had been held for the district of Western Virginia at Wytheville. After the partition of the State of Virginia, the western district of Virginia comprised counties east and west of the Blue Ridge Mountains, whereas previous to the partition the Blue Ridge had been the line between the eastern and western districts of Virginia.

Four courts were established in 1871 for the western district of Virginia, one to be held at Harrisonburg, one at Lynchburg, one at Danville, and one at Abingdon. Abingdon was thus substituted for Wytheville in the southwestern portion of the State. Abingdon has been the place for holding the court for nearly fourteen years, and an appropriation for a public building for the court and other purposes was made in the Forty-seventh Congress of \$50,000.

The purpose of the present bill is to change the place for holding the court from Abingdon to Wytheville. These towns are both upon the line of the Norfolk and Western Railroad, which stretches from Norfolk to Bristol. Lynchburg is also on this railway.

The distance from Lynchburg to Abingdon is 189 miles; from Wytheville to Abingdon is 57 miles; Wytheville being between Lynchburg and Abingdon.

Under the Revised Statutes (Sec. 802) the judge of the district court may direct the parts of the district from which jurors may be summoned, and by order of removal may adopt the distribution of the litigation between the several places for holding the courts in his district.

Unless good grounds can be shown for removal of the court from Abingdon to Wytheville, the present arrangement should be retained.

It is shown to the committee that the counties west of Abingdon have no railway facilities, and parties must travel on horseback or carriages to the court for a considerable distance, the extreme point being over 100 miles from Abingdon. All counties east of Abingdon can reach Abingdon by railway, from which they are distant but a short interval. The counties west of the Blue Ridge and farthest from Abingdon can be, under direction of the court, taken to Lynchburg or Danville. With

a proper distribution of the counties between Lynchburg, Danville, and Abingdon, all the alleged disadvantages of Abingdon can be avoided, and the convenience of the people of the mountain counties west of Abingdon be greatly promoted. Looking to the larger amount of business in these mountain counties over that in those east of Abingdon or Wytheville, and to the accessibility to these towns by parties and witnesses and jurors, there is nothing which could lead the committee to favor the change except the greater convenience of Wytheville to the most easterly of the counties which are west of the Blue Ridge, and that reason for the change can be removed by attaching the business of these counties to the courts at Lynchburg and Danville, to which they have access by railway or as readily otherwise as to Wytheville.

Your committee report therefore adversely upon the bill, and recommend that it lie upon the table.

○